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PTO/SB/17 (10-03)  
Approved for use through 07/31/2006. OMB 0651-6032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 870.00)

## Complete if Known

Application Number 09/900,751

Filing Date July 6, 2001

First Named Inventor Keith D. Allen

Examiner Name Brian A. Whiteman

Art Unit 1635

Attorney Docket No. R-386

RECEIVED

NOV 04 2003

OFFICE OF PETITIONS

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit  
Account  
Number  
Deposit  
Account  
Name

50-1271

Deltagen, Inc.

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments

☐ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$)

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from below	Fee Paid
Total Claims	-20** =	X	
Independent Claims	-3** =	X	
Multiple Dependent			

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	205.00
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	665.00
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 870.00)

## SUBMITTED BY

(Complete (if applicable))

Name (Print/Type) Kelly L. Quast

Registration No. 52,141  
(Attorney/Agent)

Telephone 650-569-5100

Signature

Kelly L. Quast

Date October 27, 2003

**WARNING: Information in this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.  
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



# 13

PTO/SB/64 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

R-386

First named inventor: KEM D. ALLENApplication No.: 09/900,751Art Unit: 1635Filed: 07-06-07Examiner: BRIAN WHITEMANTitle: TRANSGENIC MICE CONTAINING SERINE  
PROTEASE GENE DISRUPTIONS**RECEIVED**

NOV 04 2003

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX: (703) 308-6916

OFFICE OF PETITIONS

NOTE: If information or assistance is needed in completing this form, please contact Petitions  
Information at (703) 305-9282.The above-identified application became abandoned for failure to file a timely and proper reply to a  
notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the  
expiration date of the period set for reply in the Office notice or action plus an extensions of time  
actually obtained.

## APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

Adjustment date: 11/03/2003 11:55:55 AM  
11/03/2003 AWONDAF1 00000015 501271 09900751  
02 FC:2252 210.00 CR

A revivable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee --required for all utility and plant applications  
filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

## 1. Petition fee

☒ Small entity-fee \$ 665.00 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.☐ Other than small entity - fee \$ \_\_\_\_\_ (37 CFR 1.17(m))

## 2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in

the form of Amendment (identify type of reply):☒ has been filed previously on 7/9/03.☐ is enclosed herewith.

B. The issue fee of \$ \_\_\_\_\_.

☐ has been paid previously on \_\_\_\_\_.☐ is enclosed herewith.

11/03/2003 AWONDAF1 00000015 501271 09900751

01 FC:2453 665.00 DA

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

### 3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

10/27/03  
Date

Kelly L. Quast  
Signature

Telephone  
Number: 650-569 5100

Kelly L. Quast  
Typed or printed name

1031 BING STREET  
Address

Enclosures: ☒ Fee Payment

☒ Reply

☐ Terminal Disclaimer Form

☐ Additional sheets containing statements establishing unintentional delay

☐ Other: \_\_\_\_\_

SAN CARLOS, CA. 94070  
Address

### CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: **Mail Stop Petition**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

10/27/03  
Date

Don Mixon  
Signature

Don Mixon  
Type or printed name of person signing certificate



RECEIVED

NOV 04 2003

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE** **OFFICE OF PETITIONS**

Applicant: **Keith D. ALLEN *et al.***

Serial No.: **09/900,751**

Filed: **July 6, 2001**

Title: **Transgenic Mice Containing Serine  
Protease Gene Disruptions**

Group Art Unit: **1635**

Examiner: **Whiteman, Brian**

Customer No. **26619**

Docket/Order No. **R-386**

Date: **October 27, 2003**

**Petition to Revive under 35 C.F.R. § 1.137(b)**

Adjustment date: 11/12/2003 HLE555  
11/03/2003 AWONDAF1 00000014 501271 09900751  
01 FC:2252 210.00 CR

Commissioner for Patents

**Mail Stop Petition**

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

The above referenced application has unintentionally fallen abandoned due to the inadvertent failure to timely file a proper reply to the Office Action mailed February 11, 2003. More particularly, the response filed July 9, 2003 was considered improper due to the lack of sufficient funds in Applicants' deposit account in order to extend the period of reply for two (2) months under 37 C.F.R. § 1.136(a). In order to revive the status of the application, attached herewith is a Petition for Revival of an unintentionally Abandoned Application under 37 C.F.R. § 1.137(b). Applicants hereby state that the entire delay in responding to the outstanding Office Action was unintentional, as Applicants were unaware of the lack of funds in the deposit account. Applicants hereby authorize the Commissioner to debit Deposit Account 50-1271 for the fees associated with the Petition to Revive, including the Petition Fee of \$665.00 and the fee required for

11/03/2003 AWONDAF1 00000015 501271 09900751

02 FC:2252 210.00 DA

the extension of time in response to the above referenced Office Action of \$205.00.

Applicants have submitted previously an Amendment in response to the Office Action mailed February 11, 2003, and requests entry and consideration of the amendments and remarks contained therein. A copy of the previously filed response is attached herewith.

The Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-1271 under Order No. R-386.

Respectfully submitted,

Date: October 27, 2003

Kelly L. Quast  
Kelly L. Quast, Reg. No. 52,141

Deltagen, Inc.  
700 Bay Road  
Redwood City, CA 94063  
(650) 569-5100